

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DEXTER PITTS : CIVIL ACTION
: :
v. : NO. 12-2661
: :
JOHN KERESTES, et al. :

ORDER

AND NOW, this 3rd day of September, 2013, upon consideration of the Petition for Writ of Habeas Corpus (Document No. 1), the Respondents' Answer to Petition for Writ of Habeas Corpus, the Report and Recommendation filed by United States Magistrate Judge Carol Sandra Moore Wells, and the petitioner's objections to the Report and Recommendation, and after a thorough and independent review of the record, it is

ORDERED that:

1. The petitioner's objections are **OVERRULED**;
2. The Report and Recommendation of Magistrate Judge Wells is **APPROVED**

and **ADOPTED**;

3. The Petition for Writ of Habeas Corpus is **DENIED**; and,
4. There is no probable cause to issue a certificate of appealability.

/s/Timothy J. Savage
TIMOTHY J. SAVAGE, J.